



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Randall Joseph Sandell et al.

Art Unit: 3639

Serial No.: 09/475,630

Examiner: Borissov, Igor N.

Filed: December 30, 1999

For: INTERNET BASED GOODS  
DELIVERY SYSTEM

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

The following comments are in response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability dated August 25, 2006.

Applicants believe that the Statement of Reasons for Allowance is improper as reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims (see 37 CFR §1.104(e)). In the present case, Applicants believe the record as a whole does make the reasons for allowance clear and therefore no statement by the Examiner is necessary or warranted. Furthermore, Applicants do not necessarily agree with each statement in the reasons for allowance and do not necessarily agree with the Examiner's interpretation of the teachings of the cited art.

Respectfully Submitted,

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,630	12/30/1999	Randall Joseph Sandell	9D-EC-19310	6597

7590 01/30/2007  
John S. Beulick  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102

EXAMINER

BORISOV, IGOR N

ART UNIT	PAPER NUMBER
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3628

MAIL DATE	DELIVERY MODE
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01/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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Date 02-07-07

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Date: 2/2/07

By: RKQ

13307-174

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<b>SUPPLEMENTAL Notice of Allowability</b>	Application No.	Applicant(s)	
	09/475,630	SANDELL ET AL.	
	Examiner	Art Unit	
	Igor N. Borissov	3628.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment after Notice of Allowance (Rule 312) of 11/27/2006.
2. ☒ The allowed claim(s) is/are 1-15, 17-23, 25-46, 48-53, 55 and 56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.  
 Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

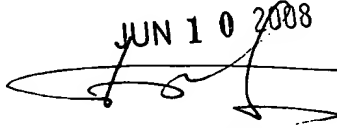
4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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**IGOR N. BORISSOV**  
**PRIMARY EXAMINER**

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**SUPPLEMENTAL EXAMINER'S AMENDMENT**

In accordance with MPEP § 1302.04 the amendment after the Notice of Allowance of 11/27/2006 is acknowledged and entered. Claims 28, 42 and 50 have been amended.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IB

01/24/2007

A handwritten signature in black ink, appearing to read "Igor N. Borissov".

IGOR N. BORISSOV  
PRIMARY EXAMINER

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